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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,849	07/18/2003	Craig K. Carlson-Stevermer	A126.114.102	4767

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EXAMINER

HOLLINGTON, JERMELE M

ART UNIT PAPER NUMBER

2829

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/622,849

Applicant(s)

CARLSON-STEVERMER, CRAIG  
K.

Examiner

Jermele M. Hollington

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Information Disclosure Statement*

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered [see page 2, line 7].

### *Drawings*

2. Figures 1-13 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, staging platform comprises at least two platforms [claim 9], staging platform comprises a vacuum system [claim 10], a sensor [claim 11], staging platform comprises the sensor [claim 12], the sensor comprises optical sensor [claim 13], and the sensor comprises vacuum sensor [claim 14] must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

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4. The drawings are objected to under 37 CFR 1.83(a) because they fail to show a vacuum system, a sensor, optical sensor, and vacuum sensor as described in the specification on page 4, lines 10-14. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-8 and 15-21 are rejected under 35 U.S.C. 102(b) as being anticipated by admitted prior art of Figs. 1-13.

Regarding claim 1, admitted prior art of Figs. 1-13 disclose a wafer staging platform [see Note below] comprising: a first platform (load port 1 of item 12) for holding a first wafer (20); a second platform (load port 2 of item 12) aligned with the first platform (load port 1), the second platform (load port 2) for holding a second wafer (wafer 22); wherein the first (load port 1) and second (load port 2) platforms are in close proximity to a processing platform (processing platform 16).

[Note: The recitation "for a wafer inspection system" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).]

Regarding claim 2, admitted prior art of Figs. 1-13 disclose the first wafer (20) has not been processed.

Regarding claim 3, admitted prior art of Figs. 1-13 disclose the second wafer (22) has been processed.

Regarding claim 4, admitted prior art of Figs. 1-13 disclose a vacuum system for holding the first wafer on the first platform and the second wafer on the second platform.

Regarding claim 5, admitted prior art of Figs. 1-13 disclose a handling system [see Note below] comprising: a wafer processing platform (16), a wafer staging platform (load port 1 of

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item 12); and a robot (robot 10) configured to move wafers (wafers 20) between the wafer processing platform (16) and the wafer staging platform (load port 1).

[Note: The recitation “for a wafer inspection system” has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hiraio*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).]

Regarding claim 6, admitted prior art of Figs. 1-13 disclose a load port (load port 2 of item 12) for storing a plurality of wafers (wafer 22), wherein the robot (10) moves the wafers (22) between the load port (load port 2) and the staging platform (load port 1).

Regarding claim 7, admitted prior art of Figs. 1-13 disclose the load port (load port 2) comprises a wafer cassette for storing a plurality of wafers (22).

Regarding claim 8, admitted prior art of Figs. 1-13 disclose a pre-aligner (pre-aligner 14) for aligning wafers (20 and 22) prior to inspection, wherein the robot (10) moves the wafers (20 and 22) between the pre-aligner (14) and the staging platform (load port 1).

Regarding claim 15, admitted prior art of Figs. 1-13 disclose a method for swapping samples in a wafer inspection system comprising: providing a sample processing platform (processing platform 16); providing a first (load port 1 of item 12) and second (load port 2 of item 12) sample holder in close proximity to the sample processing platform (16); providing a robot (robot 10) to move samples between the sample processing platform (16) and the first (load port 1) and second (load port 2) sample holders; moving [via robot 10] a first sample (wafer 20) from the sample processing platform (16) to the first sample holder (load port 1); and moving

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[via robot 10] a second sample (wafer 22) from the second sample holder (load port 2) to the sample processing platform (16).

Regarding claim 16, admitted prior art of Figs. 1-13 disclose providing a load port (load port 1 or load port 2); and moving the first sample (20) from the first sample holder (load port 1) to the load port (load port 2).

Regarding claim 17, admitted prior art of Figs. 1-13 disclose providing a pre-aligner (pre-aligner 14); and moving a third sample (wafer 20 or 22) from the load port (load port 2) to the pre-aligner (14).

Regarding claim 18, admitted prior art of Figs. 1-13 disclose wherein moving [via robot 10] the first sample (20) from the first sample holder (load port 1) to the load port (load port 2) occurs while the second sample (22) is being processed on the processing platform (16).

Regarding claim 19, admitted prior art of Figs. 1-13 disclose wherein moving [via robot 10] the third sample (wafer 20 or 22) from the load port (load port 2) to the pre-aligner (14) occurs while the second sample (22) is being processed on the processing platform (16).

Regarding claim 20, admitted prior art of Figs. 1-13 disclose moving [via robot 10] the third sample (20 or 22) from the pre-aligner (14) to the second sample holder (load port 2).

Regarding claim 21, admitted prior art of Figs. 1-13 disclose wherein moving [via robot 10] the third sample (20 or 22) from the pre-aligner (14) to the second sample holder (load port 2) occurs while the second sample (22) is being processed on the processing platform (16).

### ***Conclusion***

The examiner will like to note that claims 9-14 have not been examined until the correction to the drawings have been made as stated above.

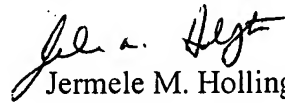
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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Caccoma et al (4027246), Hertel et al (4836733), Schram (4938654), Karasikov et al (5105147), Maydan et al (5224809), O'Dell (6324298) and Park (6340405) disclose a method and apparatus for a semiconductor processing system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermele M. Hollington whose telephone number is (571) 272-1960. The examiner can normally be reached on M-F (9:00-4:30 EST) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (517) 272-2034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jermele M. Hollington  
Patent Examiner  
Art Unit 2829

JMH  
August 24, 2005